

### **REMARKS**

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested. Applicants have amended claims 1, 3 and 4 without prejudice or disclaimer. Claims 8 -- 17 are cancelled without prejudice or disclaimer and claim 18 is added.

#### **Rejection of Claims 1, 3, 4 and 6 Under 35 U.S.C. §102(e)**

The Office Action rejects claims 1-4 and 6 under 35 U.S.C. §102(e) as being anticipated by Cobbley et al. (U.S. Patent No. 5,818,510) ("Cobbley et al."). Applicants have amended claim 1 to recite a method comprising the steps of classifying a media collection as program content versus commercials, identifying segments within classified program content based on speaker voice characteristics, synchronizing certain recognized speech from the speaker in each identified segment with closed captioning to extract stories, indexing the media collection to create a index library based on the identified segments and synchronized speech, receiving in a server a search query to the index media collection for the user, searching the index library to identify a set candidate programs based on the search query and presenting at a client device of the user the set of candidate program segments for the user to browse and select. Applicants respectfully submit that claim 1 is patentable over Cobbley et al. Notably, Applicants submit that Cobbley et al. failed to teach or suggest the step of synchronizing recognized speech from the speaker in each identified segment with closed captioning to extract stories. Applicants also submit that this is not suggested in the combination of art cited. Applicants respectfully submit that claim 1 and dependent claims 3-7 are patentable and in condition for allowance.

#### **Rejection of Claims 8-13 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 8-13 under 35 U.S.C. §103(a) as being unpatentable over Cobbley et al. in view of Hoffert et al. (U.S. Patent No. 5,983,176) (Hoffert et al.) in view

of Dimitrova (U.S. Patent No. 6,363,380) ("Dimitrova"). Applicants have cancelled these claims without prejudice, thus rendering this rejection moot.

**Rejection of Claims 5 and 7 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 5 and 7 under 35 U.S.C. §103(a) as being unpatentable over Cobbley et al. in view of Hoffert et al. (U.S. Patent No. 5,983,176) ("Hoffert et al."). Applicants traverse the Examiner's position that it would be obvious to one of skill in the art to combine these references. However, Applicants have amended claim 1 as set forth above inasmuch as claims 5 and 7 are dependent from claim 1, Applicants submit that these claims are patentable.

**Rejection of Claims 14-17 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 14-17 under 35 U.S.C. §103(a) as being unpatentable over Cobbley et al. in view of Dimitrova and in view of Halverson (U.S. Patent No. 6,523,061) ("Halverson"). Applicants have cancelled these claims without prejudice or disclaimer. Thus rendering this rejection moot.

Applicants have added a new claim 18 that recites the system for video indexing and delivery. Applicants submit that for similar reasons set forth above relative to claim 1 that claim 18 is patentable. However, Applicants note that claim 18 differs in scope from claim 1.

**CONCLUSION**

Having addressed all rejections and objections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. The Commissioner for Patents is authorized to charge or credit the **Law Office of Thomas M. Isaacson, Account No. 502960** for any deficiency or overpayment.

Respectfully submitted,

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By: 

Correspondence Address:

Thomas A. Restaino  
Reg. No. 33,444  
AT&T Corp.  
Room 2A-207  
One AT&T Way  
Bedminster, NJ 07921

Thomas M. Isaacson

Attorney for Applicants  
Reg. No. 44,166  
Phone: 410-286-9405  
Fax No.: 410-510-1433